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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,300	09/27/2001	Robert A. Koch	00986	5035
45695 7590 01/25/2007 WITHERS & KEYS FOR BELL SOUTH P. O. BOX 71355 MARIETTA, GA 30007-1355			EXAMINER NGUYEN, STEVEN H D	
			ART UNIT	PAPER NUMBER
			2616	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/25/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/966,300

Applicant(s)

KOCH ET AL.

Examiner

Steven HD Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-10,12-15,17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-10, 12-15 and 17-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1, 3-11 and 12-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. the specification does not disclose the second database having stored therein the call request which comprises an IP address of the Internet enabled device. The specification discloses the first database stored call request and addition information such as IP address of pocket PC device (See Page 11, Sec 27 and Page 12, Sec 29).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang (USP 6879678) in view of O'Neal (USP 6640242).

Regarding claim 1, Lang discloses an apparatus for allowing a calling party to initiate a telephone call from an Internet-enabled device, the apparatus comprising a server (Fig 1, Ref 60) operative for receiving an originating telephone number and a destination telephone number in response to a command from the Internet-enabled device (Fig 1, Ref 10 and Fig 2, call request which is generated by Ref 10 for transmitting to server, includes a caller and called number), wherein at least the destination telephone number is imported from a first database external to the server is in communication with the non-secure data network (Col. 2, lines 52-58, destination number is retrieved from a directory database via internet or local database); generating a call request (Col. 7, lines 13-55, generating a call connection for transmitting to POP), and transmitting the request from a non-secure data network to a telecommunications network to request the telecommunications network to establish a connection between the originating telephone number and the destination telephone number (Col. 7, lines 13-55, generating a call connection for transmitting to POP via packet network and Fig 3D), wherein the server is further in communication with a second database, the second database having stored therein the call request, the call request comprising an Internet Protocol address of the Internet-enabled device (See col. 7, lines 1-13, call request queue is a database for storing the call request message which is received from internet enable device Ref 10, has a IP address in order to transmit a call status from the server to the internet enable device Ref 10, See Fig 3D, Ref 255). However, Lang fails to disclose a call controller and POP which includes a secure Internet Protocol network and PSTN. However, O'Neal discloses a POP which includes firewall and LAN and telephone system for using to dial the telephone numbers (Fig 20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a firewall and LAN as disclosed by O'neal into Lang because POP that includes LAN and firewall is well known and expected in the art. The motivation would have been to prevent unwanted traffic to LAN and protect customer database.

Regarding claim 3, Lang teaches that the server transmits the call request to a service control point of the telecommunications network and wherein the call request includes instructions that cause the service control point to establish the connection through operation of at least one switch of the telecommunications network that is in communication with the service control point (Fig 3D, Col. 7, lines 39-55).

Regarding claim 4, Lang further teaches that the telecommunications network includes an advanced intelligent network (AIN) (Fig 1, PSTN and POP).

Regarding claim 5, Lang teaches that the apparatus further comprising a communications network (Fig 1, Ref 25) for connecting the Internet-enabled device (Fig 1, Ref 10) to the server (Fig 1, Ref 60).

Regarding claim 6, Lang teaches that the Internet-enabled device is selected from the group consisting of a personal computer, an Internet appliance, a personal digital assistant, a WAP-enabled device, and an interactive pager (Col. 5, lines 35-52).

5. Claims 7-10, 12-15 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal (USP 6990094) in view of O'Neal (USP 6640242) and Lang (USP 6879678).

Regarding claims 7-8, 12-13, 15 and 17-18, O'Neal (USP 6990094) discloses a method of enabling a calling party to initiate a telephone call, the method comprising receiving a request to initiate the telephone call from a first device of a non-secure data network (Fig 5, Ref 504) at a

server (Fig 5, Ref 512) of a secure data network, wherein the secure network is an Internet Protocol network and the first device is associated with the calling party; receiving an originating telephone number; receiving a destination telephone number by the first device accessing an online telephone directory of a first database maintained on the non-secure data network (Fig 6, Ref Yellow Pages is used to retrieve destination number and col. 9, lines 23-47); and transmitting a call request containing the originating telephone number and the destination telephone number from the server over the secure Internet Protocol network to a telecommunications network to request the telecommunications network to originate the telephone call from a second device associated with the originating telephone number to a third device associated with the destination telephone number (col. 9, lines 23-47, Fig 10). However, O'Neal '94 fails to disclose POP which includes a secure network for receiving a call request. In the same field of endeavor, O'Neal '42 discloses a POP includes a secure IP network for receiving a call request for transmitting to PSTN (Fig 20). However, O'Neal '94 and '42 fail to disclose the server is in communication with a second database, the second database having stored therein the call request, the call request comprising an Internet Protocol address of the first device. In the same field of endeavor, Lang discloses the server is in communication with a second database, the second database having stored therein the call request, the call request comprising an Internet Protocol address of the first device (See col. 7, lines 1-13, call request queue is a database for storing the call request message which is received from internet enable device Ref 10, has a IP address in order to transmit a call status from the server to the internet enable device Ref 10, See Fig 3D, Ref 255).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method and system for storing the IP of address of a device as disclosed by Lang into the system of O'Neal '42 which discloses a structure of NOC and POP which include the firewall in order to protect the LANs from unwanted traffic into the teaching of O'Neal '94. the motivation would have been to provide a status message back to the device and protecting the unwanted traffic.

Regarding claim 9, Lang teaches that the server transmits the call request to a service control point of the telecommunications network and wherein the call request includes instructions that cause the service control point to establish the connection through operation of at least one switch of the telecommunications network that is in communication with the service control point (Fig 3D, Col. 7, lines 39-55).

Regarding claim 14, Lang teaches accepting a personal identification number (PIN) from the first device in order to prevent unauthorized (Col. 9, lines 59-61).

6. Claim 10 rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal '94, '42 and Lang as applied to claim 7 above, and further in view of Wiener.

Regarding claim 10, O'Neal '94, '42 and Lang fail to disclose the service control point performing a look-up in an associated database to determine whether the requested call should be completed. In the same field of endeavor, Weiner discloses performing a look-up in an associated database to determine whether the requested call should be completed (Col. 7, lines 38 to col. 8, lines 55, validate PIN).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method and system for validating account at the PSTN before

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establishing a call as disclosed by Weiner into O'Neal '94, '42 and Lang. The motivation would have been to prevent fault.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to be 'S. H. Nguyen', written in a cursive style.

Steven HD Nguyen
Primary Examiner
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